

MONDAY, APRIL 3, 2000

SIXTY-EIGHTH LEGISLATIVE DAY

The House met at 4:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Dr. David Hull, First Baptist Church, Knoxville, Tennessee.

Representative Hagood led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present ..... 94

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Miller; personal reasons.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 1059:** Rep(s). Brooks as prime sponsor(s).

**House Bill No. 2635:** Rep(s). Maddox, Fitzhugh, Pinion, Cole (Carter) and Kent as prime sponsor(s).

**House Bill No. 2369:** Rep(s). Sargent, Dunn and Stulce as prime sponsor(s).

**House Bill No. 2783:** Rep(s). Sargent and Stulce as prime sponsor(s).

**House Bill No. 2784:** Rep(s). Sargent and Stulce as prime sponsor(s).

**House Bill No. 2914:** Rep(s). Beavers and Pleasant as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep(s). Hargett was/were removed as sponsor(s) of **House Bill No. 2583**.

**REPORT OF CHIEF ENGROSSING CLERK**

**March 31, 2000**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 876, 1444, 1839, 2350, 2817; also, House Joint Resolution(s) No(s). 524, 525, 526, 527, 528, 529, 530, 531, 533, 534, 535, 536, 537, 538, 542, 543, 544, 545, 546, 547, 548, 549, 550, 552, 554, 555, 556, 557, 559, 560, 561, 562 and 564.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**April 3, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 722; adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Joint Resolution No. 722** -- Memorials, Professional Achievement - Robert O. Burleson, President, Tennessee Restaurant Association. by \*Crowe.

**MESSAGE FROM THE SENATE**

**April 3, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 41 and 636; adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**\*Senate Joint Resolution No. 41** -- General Assembly, Studies - Continues select joint committee on veterans' affairs. by \*Crowe, \*Womack, \*Crutchfield, \*Springer, \*Kurita.

**\*Senate Joint Resolution No. 636** -- Memorials, Government Officials - Urges University of Tennessee board of trustees and department of transportation to cease with plans to construct four-lane connector for automobiles between UT Knoxville agricultural campus and main campus. by \*Burchett.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Rep. McAfee was recognized in the Well to introduce Rev. Gene Jackson for remarks.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**House Resolution No. 184** -- General Assembly, Studies - Requests select oversight committee on education to study issue of teaching endorsements and make recommendations for improving this process. by \*Davis (Cocke), \*Cooper B.

House Education Committee

**\*House Joint Resolution No. 575** -- General Assembly, Directed Studies - Requests TACIR to study staffing in offices of property assessors. by \*Buck.

House Finance, Ways and Means Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 6, 2000:

**House Resolution No. 185** -- Memorials, Professional Achievement - JC Penney store, Stones River Mall, 1999 Chairman's Award recipient. by \*Hood, \*Eckles.

**House Joint Resolution No. 579** -- Naming and Designating - Child Abuse Prevention Month, April. by \*Hood, \*Eckles, \*Fraleigh, \*Davidson, \*McDonald, \*Kisber, \*Bone, \*West, \*Langster, \*Windle, \*Fowlkes, \*Hargrove, \*Sands, \*White.

**House Joint Resolution No. 581** -- Memorials, Sports - 1999-2000 Jackson County High School girls' basketball team, TSSAA Class 2-A state champions. by \*Winningham.

**House Joint Resolution No. 582** -- Memorials, Professional Achievement - James W. Parsons, 2000 Metro-Nashville Middle School Teacher of the Year. by \*Winningham.

**House Joint Resolution No. 583** -- Memorials, Professional Achievement - Jamie Hill Garrett, Pickett County Press. by \*Winningham.

**House Joint Resolution No. 584** -- Memorials, Personal Achievement - Derek Mark Jamison, Eagle Scout. by \*Black.

**House Joint Resolution No. 585** -- Memorials, Sports - 1999 South Fulton High School boys' basketball team, TSSAA Class A state champions. by \*Pinion.

**SENATE JOINT RESOLUTIONS**  
**(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 6, 2000:

**Senate Joint Resolution No. 598** -- Naming and Designating - National Crime Victims' Rights Week, April 9-15, 2000. by \*Burks, \*Williams.

**Senate Joint Resolution No. 649** -- Naming and Designating - "Day of Hope, first Wednesday in April 2000, for victims of child abuse and neglect. by \*Burks.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**Senate Bill No. 2355** -- Landlord and Tenant - Decreases late fee, from 10 percent to 5 percent of overdue rent, landlords subject to Uniform Residential and Landlord Tenant Act can charge. Amends TCA Title 66, Chapter 28, Part 2. by \*Ford J. (\*HB2166 by \*Miller L)

**\*Senate Bill No. 2722** -- Highways, Roads and Bridges - Increases maximum allowable width of houseboats from 16 feet to 18 feet for transportation on highways. Amends TCA Title 55. by \*Haun. (HB2890 by \*Rinks)

**Senate Bill No. 2928** -- Driver Licenses - Excludes person whose DUI conviction is over ten years old and who is permanently handicapped and unable to drive motor vehicle from requirement that DUI conviction be noted on photo identification license. Amends TCA Section 55-50-336. by \*Womack. (\*HB2498 by \*Eckles)

**\*Senate Bill No. 3005** -- Fire Prevention and Investigation - Increases penalties for violation of statutory requirements for alarm system contractors; modifies insurance coverage documentation and reporting requirements. Amends TCA Title 62, Chapter 32. by \*Haynes. (HB2876 by \*Cole (Dyer))

**Senate Bill No. 3035** -- Architects, Engineers and Designers - Deletes provision giving board of architects and engineers authority, subject to approval of department of commerce and insurance, to authorize one administrative person to attend state, regional and national registration meetings. Amends TCA Section 62-2-206. by \*Crowe, \*Kurita, \*Henry. (\*HB2881 by \*Armstrong)

**Senate Bill No. 3088** -- Commerce and Insurance, Dept. of - Removes requirement that compensation and per diem allowances for state insurance examiners not exceed guidelines of National Association of Insurance Commissioners; authorizes payment of reasonable compensation and per diem allowances. Amends TCA Title 56, Chapter 1, Part 4. by \*Atchley. (\*HB3015 by \*McKee)



**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 3302** -- McNairy County -- Local Bill Held on House Desk

**House Bill No. 3303** -- Franklin County -- Local Bill Held on House Desk

**House Bill No. 3305** -- Anderson County -- Local Bill Held on House Desk

**House Bill No. 3306** -- Maury City -- Local Bill Held on House Desk

**House Bill No. 3308** -- Pulaski -- Local Bill Held on House Desk

**House Bill No. 3309** -- Liberty -- Local Bill Held on House Desk

**House Bill No. 3310** -- Hohenwald -- Local Bill Held on House Desk

**CONSENT CALENDAR**

**House Bill No. 2035** -- Statutes - Changes all TCA references and state government references from "Korean Conflict" to "Korean War." Amends TCA Title 1, Chapter 3, by \*Givens, \*Cole (Carter), \*Sharp, \*Godsey, \*Davis (Washington), \*Dunn, \*Buttry, \*Montgomery, \*Mumpower, \*Hargett, \*Walker (Rhea), \*West. (\*SB2052 by \*Crowe, \*Kyle, \*Dixon, \*Williams, \*Womack, \*Atchley, \*Fowler, \*Kurita, \*Davis L)

On motion, House Bill No. 2035 was made to conform with **Senate Bill No. 2052**; the Senate Bill was substituted for the House Bill.

**House Bill No. 2668** -- Driver Licenses - Increases from ten to 21 days time in which department must notify licensing state and commercial driver license information system that commercial driver has violated traffic law; increases from ten to 21 days time in which clerk must notify department of conviction of commercial driver violating traffic law. Amends TCA Title 55, Chapter 50, by \*Turner (Shelby), \*Bowers, \*DeBerry J, \*Jones U (Shelby), \*Miller L, \*Brooks, \*Towns. (\*SB2837 by \*Dixon)

**House Bill No. 2914** -- Victims' Rights - Specifies information that law enforcement agencies shall provide to victims of crime. Amends TCA Title 40, by \*Scroggs, \*Newton, \*Hargrove, \*Langster, \*Black, \*Godsey, \*Ford S, \*Sharp, \*McDaniel, \*Todd, \*Bunch, \*Hagood, \*Hargett, \*Walker (Rhea), \*Davis (Washington), \*Wood, \*Buttry, \*Hassell. (\*SB2517 by \*Herron, \*Burks)

**House Bill No. 2635** -- State Symbols - Requires all Tennessee state flags produced and all representations thereof to have included thereon legend sufficient to clearly indicate proper manner to fly or display such flag Amends TCA Title 4, Chapter 1, Part 3, by \*Buck, \*McMillan. (\*SB2750 by \*Rochelle, \*Williams)

On motion, House Bill No. 2635 was made to conform with **Senate Bill No. 2750**; the Senate Bill was substituted for the House Bill.

**MONDAY, APRIL 3, 2000 — SIXTY-EIGHTH LEGISLATIVE DAY**

**\*House Joint Resolution No. 518** -- Memorials, Government Officials - Urges governor and certain state health departments to make women's health priority in Tennessee. by \*Chumney, \*Naifeh, \*Jones, S., \*DeBerry L, \*Langster, \*Armstrong, \*Bowers, \*McMillan.

**House Bill No. 3298** -- Sumner County - Subject to local approval, creates civil service commission for sheriff's department. by \*Black, \*McDonald. (SB3284 by \*Graves)

**House Bill No. 3299** -- Piperton - Subject to local approval, authorizes levy and collection of privilege tax on new development. by \*Walley.

**House Bill No. 3300** -- Cumberland Gap - Subject to local approval, rewrites charter. Amends Chapter 210 of the Acts of 1907; as amended. by \*Goins. (SB3279 by \*Williams)

**House Bill No. 3301** -- Sevier County - Subject to local approval, authorizes advisory referendum on whether to adopt county zoning. by \*Montgomery. (SB3291 by \*Clabough)

**House Resolution No. 181** -- Memorials, Academic Achievement - Lakesha N. Farmer, Salutatorian, East High School. by \*Brooks.

**House Resolution No. 182** -- Memorials, Academic Achievement - David Richmond, Salutatorian, Melrose High School. by \*Brooks.

**House Resolution No. 183** -- Memorials, Personal Achievement - Jeffery M. Pool, Eagle Scout. by \*Hagood.

**House Joint Resolution No. 571** -- Memorials, Sports - 1999-2000 Shelbyville Central High school girls' basketball team, TSSAA Class AAA state champions. by \*Phillips.

**House Joint Resolution No. 572** -- Memorials, Personal Occasion - Jim and Joyce Sutton, 30th wedding anniversary. by \*Bittle.

**House Joint Resolution No. 573** -- Memorials, Personal Achievement - Paulette Scott, Clay County "Mother of the Year". by \*Winningham.

**House Joint Resolution No. 574** -- Memorials, Personal Achievement - Christy Hunter, Clay County "Super Mom". by \*Winningham.

**House Joint Resolution No. 576** -- Memorials, Public Service - Eska Sessoms Garrison, Distinguished Leadership Award for Citizen Planner. by \*Hood, \*Eckles.

**House Joint Resolution No. 577** -- Memorials, Sports - 1999 Sevier County High School football team, TSSAA Class 5-A state champions. by \*Montgomery.

**House Joint Resolution No. 578** -- Memorials, Death - Betty Jean Jones. by \*DeBerry L, \*Bowers.

**House Joint Resolution No. 580** -- Memorials, Death - Coach "Tommy" H. Hundley. by \*Mumpower.

**Senate Joint Resolution No. 689** -- Memorials, Death - Diemer Smartt. by \*Cooper.

**MONDAY, APRIL 3, 2000 — SIXTY-EIGHTH LEGISLATIVE DAY**

**Senate Joint Resolution No. 690** -- Memorials, Academic Achievement - Misty West, Salutatorian, East Robertson High School. by \*Graves.

**Senate Joint Resolution No. 691** -- Memorials, Academic Achievement - Jamie Justice, Valedictorian, East Robertson High School. by \*Graves.

**Senate Joint Resolution No. 692** -- Memorials, Professional Achievement - Jeff Porter, Robertson County's 1999 Conservation Farmer of the Year. by \*Graves.

**Senate Joint Resolution No. 693** -- Memorials, Death - John A. "Johnny" Wyatt, Jr. by \*Kurita.

**Senate Joint Resolution No. 694** -- Memorials, Sports - Daniel Bolton, 1999 Mason-Dixon All-Conference Team, First Team Deaf All-American Center. by \*Burks, \*Williams.

**Senate Joint Resolution No. 695** -- Memorials, Personal Achievement - Richelle Wilkerson, Girl Scout Gold Award. by \*Miller J.

**Senate Joint Resolution No. 696** -- Memorials, Sports - Central Middle School girls' basketball team, TSSAA state champions. by \*Womack.

**Senate Joint Resolution No. 697** -- Memorials, Death - U.G. "Curly" Trivett, Jr. by \*Crowe.

**Senate Joint Resolution No. 698** -- Memorials, Academic Achievement - Che-Hao Lu, Valedictorian, Hendersonville High School. by \*Graves.

**Senate Joint Resolution No. 699** -- Memorials, Academic Achievement - James Emerson Sheffey, Valedictorian, Hendersonville High School. by \*Graves.

**Senate Joint Resolution No. 700** -- Memorials, Academic Achievement - Katherine Young, Salutatorian, Hendersonville High School. by \*Graves.

**Senate Joint Resolution No. 701** -- Memorials, Public Service - Margot Fosner, Chamber of Commerce Volunteer of the Year. by \*Graves.

**Senate Joint Resolution No. 702** -- Memorials, Death - Bobby Harris. by \*Graves.

**Senate Joint Resolution No. 703** -- Memorials, Personal Occasion - Dana and Thelma Light, 50th wedding anniversary. by \*Crowe.

**Senate Joint Resolution No. 704** -- Memorials, Professional Achievement - Janet Burgess, Johnson City School System High School "Teacher of the Year.". by \*Crowe.

**Senate Joint Resolution No. 705** -- Memorials, Recognition - James H. Quillen Veterans Affairs Medical Center staff and Energy Systems Group, Hammer Award recipients. by \*Crowe, \*Kyle.

**Senate Joint Resolution No. 706** -- Memorials, Professional Achievement - Donna Morgan, Teacher of the Year, Grades 5-8. by \*Crowe.

**OBJECTION -- CONSENT CALENDAR**

Objection(s) was/were filed to the following on the Consent Calendar:

**House Bill No. 2914:** by Rep. Cole (Dyer)

Under the rules, House Bill No. 2914 was/were placed at the foot of the calendar for April 6, 2000.

Rep. L. DeBerry moved that all members voting aye on House Joint Resolution No. 578 be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**REGULAR CALENDAR**

**OUT OF ORDER**

Rep. Buck requested that the House take up House Bill No. 2116 out of order, which was granted without objection.

REGULAR CALENDAR, CONTINUED

**House Bill No. 2116** -- Workers' Compensation - Imposes bad faith penalty upon insurance carrier or employer who wrongfully fails to pay employee's medical expenses within 60 days of workers' compensation judgment or settlement which requires payment of medical expenses if such failure results in additional expense; penalty in amount of up to 25 percent of medical expenses. Amends TCA Title 50, Chapter 6 and Title 56, Chapter 7. by \*Buck, \*Cooper B, \*Bowers. (\*SB2055 by \*Crutchfield)

Further consideration of House Bill No. 2116 previously considered on March 20, 2000, March 23, 2000 and March 30, 2000, at which time the House withdrew Amendment(s) No(s). 1, 2 and 3, adopted Amendment(s) No(s). 4 and reset the bill for today's Calendar.

Rep. Buck moved that **House Bill No. 2116**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 93  
Noes ..... 0

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**House Bill No. 2876** -- Fire Prevention and Investigation - Increases penalties for violation of statutory requirements for alarm system contractors; modifies insurance coverage documentation and reporting requirements. Amends TCA Title 62, Chapter 32. by \*Cole (Dyer). (\*SB3005 by \*Haynes)

On motion, House Bill No. 2876 was made to conform with **Senate Bill No. 3005**; the Senate Bill was substituted for the House Bill.

Rep. Cole (Dyer) moved that Senate Bill No. 3005 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Cole (Dyer) moved that **Senate Bill No. 3005** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 92  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh — 92.

A motion to reconsider was tabled.

**\*House Bill No. 3143** -- Equalization Board - Deletes prohibition for state legislative or executive officials or state employees to serve on county board of equalization; limits eligibility of state employees to those whose employment does not involve property tax assessments. Amends TCA Section 67-1-401. by \*Tindell, \*Jones U (Shelby). (SB3205 by \*Dixon)

Further consideration of House Bill No. 3143 previously considered on March 23, 2000 and March 27, 2000, at which time it was reset for today's Calendar.

On motion, House Bill No. 3143 was moved to the heel of the Calendar.

**\*House Bill No. 2317** -- Education, Dept. of - Provides for standardized system of reporting local education financial information to commissioner of education. Amends TCA Section 49-3-316. by \*Kisber, \*Davidson, \*Head. (SB2435 by \*Womack)

On motion, House Bill No. 2317 was made to conform with **Senate Bill No. 2435**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that **Senate Bill No. 2435** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	93
Noes .....	0

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh — 93.

A motion to reconsider was tabled.

**\*House Bill No. 2355** -- Athletic Trainers - Replaces "certificate" and "certification" with "license" and "licensure"; changes supervision requirements to include supervision by both licensed trainer and licensed physician instead of trainer or physician. Amends TCA Title 63, Chapter 24, Part 1. by \*West, \*Armstrong, \*Kisber. (SB2559 by \*Cooper, \*Person)

Rep. West moved that House Bill No. 2355 be reset for the Regular Calendar on April 6, 2000, which motion prevailed.

**House Bill No. 2995** -- Workers' Compensation - Prohibits use of experience modification factor in setting higher premium for employer if employer did not receive experience modification notification. Amends TCA Title 50, Chapter 6. by \*West, \*Turner (Shelby), \*Jones, S.. (\*SB2176 by \*Cooper)

Rep. West moved that House Bill No. 2995 be passed on third and final consideration.

Rep. West moved adoption of Consumer and Employee Affairs Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2995 by deleting the first sentence of Section 2 and by substituting instead the following:

If the experience modification factor notification is not mailed or otherwise sent to the employer prior to the renewal date, or the anniversary rating date if different, the experience modification factor may not be used for premium purposes if it results in a higher premium.

On motion, Consumer and Employee Affairs Committee Amendment No. 1 was adopted.

Rep. West moved that **House Bill No. 2995**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 95  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Bill No. 2874** -- Real Estate Agents and Brokers - Requires real estate brokers to complete 16 hours of continuing education every two years. Amends TCA Title 62, Chapter 13, Part 3. by \*Sands. (\*SB2811 by \*Ramsey)

On motion, House Bill No. 2874 was moved to the heel of the Calendar.

**House Bill No. 2510** -- Custody and Support - Clarifies that parent's right to access to child's medical records, when child is not in parent's possession, includes records of other health care providers; all such records available unless otherwise prohibited by law. Amends TCA Section 36-6-101. by \*Patton. (\*SB2211 by \*Crowe)

Rep. Patton moved that House Bill No. 2510 be passed on third and final consideration.

Rep. Chumney moved adoption of Children and Family Affairs Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2510 By deleting in its entirety, the amendatory language of Section 1, and by substituting instead the following language:

(E) Unless otherwise provided by law, the right to receive copies of the child's medical, health or other treatment records directly from the physician or health care provider who provided such treatment or health care upon written request which contains a current mailing address and upon payment of reasonable costs of duplication; provided, that no person who receives the mailing address of a parent as a result of this requirement shall provide such address to the other parent or a third person; and

On motion, Children and Family Affairs Committee Amendment No. 1 was adopted.

Rep. Patton moved that **House Bill No. 2510**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.



**MONDAY, APRIL 3, 2000 — SIXTY-EIGHTH LEGISLATIVE DAY**

**House Bill No. 2655** -- Sentencing - Clarifies that after sentencing of criminal defendant, the uniform judgment document is public record; enacts "Criminal Sentence Explanation Act of 2000." Amends TCA Title 40, Chapter 35, Part 2. by \*McMillan. (\*SB2363 by \*Kyle, \*Graves)

Rep. McMillan moved that House Bill No. 2655 be reset for the Regular Calendar on April 10, 2000, which motion prevailed.

**House Bill No. 2648** -- Domestic Violence - Deletes requirement that officer serving final order of protection must read order to respondent; authorizes service of such order by personal service or mail as provided in the Rules of Civil Procedure. Amends TCA Title 36, Chapter 3, Part 6. by \*McMillan, \*Odom, \*Jones, S., \*Langster. (\*SB2178 by \*Burks, \*Person)

On motion, House Bill No. 2648 was made to conform with **Senate Bill No. 2178**; the Senate Bill was substituted for the House Bill.

Rep. McMillan moved that Senate Bill No. 2178 be passed on third and final consideration.

On motion, Rep. Chumney withdrew Children and Family Affairs Committee Amendment No. 1.

Rep. McMillan moved that **Senate Bill No. 2178** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Bill No. 3101** -- Domestic Violence - Creates domestic abuse death review team and procedures to assist persons performing autopsies on domestic abuse victims Amends TCA Title 36, Chapter 3, Part 6. by \*McMillan. (\*SB2674 by \*Cohen)

Rep. McMillan moved that House Bill No. 3101 be passed on third and final consideration.

Rep. Chumney moved adoption of Children and Family Affairs Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 3101 by adding the following as a new subsection to Section 1:

(f) To complete a review of a domestic abuse death, whether confirmed or suspected, each domestic abuse death team shall have access to, and subpoena power to obtain, all records of any nature maintained by any public or private entity that may pertain to a death being investigated by the team including, but not limited to, police investigations and reports, medical examiner investigative data and reports and social service agency records, as well as medical records maintained by a private health care provider or a health care agency. Any entity or individual providing such information to the local team shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed for such action.

On motion, Children and Family Affairs Committee Amendment No. 1 was adopted.

Rep. McMillan moved that **House Bill No. 3101**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 93  
Noes ..... 0

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**House Bill No. 1059** -- Consumer Protection - Makes loans secured by owner-occupied residences subject to certain conditions. Amends TCA Title 47, Chapter 18. by \*Brown, \*Turner (Shelby). (\*SB1151 by \*Crutchfield)

**CHAIR TO DEBERRY**

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

Rep. Brown moved that House Bill No. 1059 be passed on third and final consideration.

Rep. West moved adoption of Consumer and Employee Affairs Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1059 By deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, Part 24, is amended by adding the following as a new section:

Section 47-18-2404. (a)(1) Any solicitation to lend money to a person for the consolidation or payment of other indebtedness which will result in that person's owner-occupied residence becoming collateral or security for the loan or payment of money shall clearly state, in bold type at least as large as any used in the solicitation otherwise, or by a separate clearly stated written notice, in at least 10-point typeface, if the solicitation is made verbally, the following:

**(A) Failure to make timely payments or to repay the loan will result in the borrower's home being subject to foreclosure.**

**(B) Additional information on debt consolidation loans is available from the Tennessee Department of Commerce & Insurance, Division of Consumer Affairs at 1-800-342-8385.**

(2) Such solicitation shall, in like manner, state either one of the following, as appropriate:

**(A) It is the obligation of the lender to make payments to prior lenders; or**

**(B) It is the obligation of the borrower to make payments to prior lenders.**

(b) The provisions of this section shall apply to all solicitations, whether made through the mails, in person, by telephone, fax, or electronically, or through any other agency or medium to a resident of Tennessee.

(c) Failure to comply with the provisions of this section shall render the contract, lien, or security unenforceable.

(d) The notices and obligations described in subsection (a) shall be clearly expressed in any debt consolidation contract or loan agreement consolidating such loans.

(e) The provisions of this section shall not apply to any state or national bank, credit union, or savings and loan, or to any subsidiary or affiliate of any such state or national bank, credit union, or savings and loan.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Consumer and Employee Affairs Committee Amendment No. 1 was adopted.

Rep. Brown moved that **House Bill No. 1059**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 95  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Bill No. 2369** -- Sentencing - Clarifies that 180 day minimum for offense of falsification of sexual offender registration form is mandatory and person committing offense not eligible for sentence suspension, diversion or probation until minimum sentence served in entirety. Amends TCA Title 40, Chapter 39. by \*Turner (Hamilton), \*Jones, S., \*Pruitt. (\*SB2258 by \*Crowe)

Rep. Turner (Hamilton) moved that **House Bill No. 2369** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 93  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

**House Bill No. 2783** -- Sexual Offenses - Revises certain provisions of the Sexual Offender Registration and Monitoring Act. Amends TCA Title 40, Chapter 39. by \*Turner (Hamilton). (\*SB2662 by \*Crowe)

Rep. Turner (Hamilton) moved that **House Bill No. 2783** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Bill No. 2784** -- Sexual Offenses - Makes federally required changes to Sexual Offender Registration and Monitoring Act concerning sexually violent predators and offenders who work or are students in this state and reside in another state. Amends TCA Title 40, Chapter 39. by \*Turner (Hamilton). (\*SB2661 by \*Crowe)

Rep. Turner (Hamilton) moved that House Bill No. 2784 be passed on third and final consideration.

Rep. McMillan moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2784 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-39-102, is amended by adding the following new definition to be numbered as (4) and by renumbering existing definition (4) as (5):

(4) "Sexually violent offense" means the commission of any act that constitutes the criminal offense of:

(A) Aggravated rape, under §39-13-502;

(B) Rape, under §39-13-503;

(C) Aggravated sexual battery, under §39-13-504;

(D) Rape of a child, under §39-13-522; or

(E) Criminal attempt to commit any of the offenses listed above, under §39-12-101.

Any conviction for an offense in a federal court, military court or court of another state or territory which under the laws of this state would be classified as a violation of any of the offenses listed in this definition shall be treated as "sexually violent offense."

SECTION 2. Tennessee Code Annotated, Section 40-39-107, is amended by adding the following new subsection (g):

(g) A person required to register under this chapter shall continue to comply with the registration and quarterly monitoring requirements for the life of that person if that person:

(1) has one or more prior convictions for a sexual offense as defined in §40-39-102(3); or

(2) has been convicted of a sexually violent offense as described in §40-39-102(4).

SECTION 3. Tennessee Code Annotated, Section 40-39-103, is amended by deleting from the first sentence of subsection (a) the language "and within ten (10) days after coming into a municipality or county in which the sexual offender temporarily resides or is domiciled" and substituting instead the language "and within ten (10) days after coming into a municipality or county in which the sexual offender temporarily resides or is domiciled or is employed, carries on a vocation or is a student."

SECTION 4. This act shall take effect upon becoming law, the public welfare requiring it.

**MONDAY, APRIL 3, 2000 — SIXTY-EIGHTH LEGISLATIVE DAY**

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Turner (Hamilton) moved that **House Bill No. 2784**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	94
Noes .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives voting no were: Turner (Shelby) -- 1.

A motion to reconsider was tabled.

**House Bill No. 2583** -- Animals - Allows trier of fact to award up to \$5,000 in non-economic damages to person whose pet is killed or sustains injuries which result in death caused by intentional or negligent act of another or by the pet of another. Amends TCA Title 44, Chapter 17. by \*Briley, \*Kisber. (\*SB2157 by \*Cohen, \*Person)

Rep. Briley moved that House Bill No. 2583 be reset for the Regular Calendar on April 6, 2000, which motion prevailed.

**House Joint Resolution No. 570** -- Memorials, Public Service - William Walter Farris. by \*Chumney, \*Naifeh, \*DeBerry L., \*Armstrong, \*Turner (Shelby), \*Hargrove, \*Kisber, \*Bowers, \*DeBerry J., \*Jones U (Shelby), \*Kernell, \*Todd, \*Miller L., \*Pleasant, \*Brooks, \*Cooper B, \*Towns, \*Hargett, \*Kent, \*Cole (Carter).

Rep. Chumney moved that **House Joint Resolution No. 570** be adopted, which motion prevailed by the following vote:

Ayes.....	95
Noes .....	0

## MONDAY, APRIL 3, 2000 — SIXTY-EIGHTH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**\*House Bill No. 3143 --** Equalization Board - Deletes prohibition for state legislative or executive officials or state employees to serve on county board of equalization; limits eligibility of state employees to those whose employment does not involve property tax assessments. Amends TCA Section 67-1-401. by \*Tindell, \*Jones U (Shelby). (SB3205 by \*Dixon)

Further consideration of House Bill No. 3143 previously considered on today's Calendar.

Rep. Maddox moved that House Bill No. 3143 be reset for the Regular Calendar on April 10, 2000, which motion prevailed.

**House Bill No. 2874 --** Real Estate Agents and Brokers - Requires real estate brokers to complete 16 hours of continuing education every two years. Amends TCA Title 62, Chapter 13, Part 3. by \*Sands. (\*SB2811 by \*Ramsey)

Further consideration of House Bill No. 2874 previously considered on today's Calendar.

Rep. Maddox moved that House Bill No. 2874 be reset for the Regular Calendar on April 6, 2000, which motion prevailed.

## MESSAGE CALENDAR

### HOUSE ACTION ON SENATE AMENDMENTS

**House Bill No. 2799 --** Taxes, Real Property - Authorizes comptroller to assess telecommunications tower properties, including tower, site improvements, land and supporting structures, for real property taxation purposes; authorizes comptroller to assess for taxation cellular or wireless telecommunications and telecommunications tower companies. Amends TCA Title 67, Chapter 5, Part 13; Title 67, Chapter 5, Part 5; Title 67, Chapter 5, Part 9 and Title 67, Chapter 4, Part 1. by \*White. (\*SB2632 by \*Henry)

### Senate Amendment No. 1

AMEND House Bill No. 2799 by deleting Section 5 of the printed bill and by substituting the following:



SECTION 5. This act shall take effect upon becoming a law and shall apply to the 2000 tax year, the public welfare requiring it. A taxpayer subject to assessment by the comptroller of the treasury under this act for the first time for tax year 2000 shall be afforded up to sixty (60) days, from the date the taxpayer is supplied a report form, to file any ad valorem report otherwise required by Section 67-5-1303 for tax year 2000.

Rep. White moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 2799**, which motion prevailed by the following vote:

Ayes..... 93  
Noes ..... 0

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

#### HOUSE ACTION ON SENATE AMENDMENTS

**House Bill No. 2983** -- Insurance, Motor Vehicles - Extends to vehicle lender under casualty insurance policy on vehicles same insured party protection as afforded to mortgagee, trustee or assignee under fire insurance policy on mortgage; protection applies even if loss is result of intentional act of primary insured. Amends TCA Title 56. by \*Phelan, \*Wood, \*Hood, \*Towns, \*Rhinehart. (\*SB2554 by \*Cooper)

#### Senate Amendment No. 1

AMEND House Bill No. 2983 By deleting Section 1 in its entirety, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 11, is amended by adding the following language as a new, appropriately designated section:

Section 56-7-11\_\_\_\_. When any person shall, as lienholder, secured party, assignee, or otherwise, possess or have any vehicle insurance policy made payable to such person, or other person as that person's interest may appear, then such insurance as to the interest of the lienholder, secured party, assignee or other person therein named shall not be invalidated by an intentional act or omission of the owner of the vehicle so insured.

Rep. Phelan moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 2983**, which motion prevailed by the following vote:

Ayes..... 94  
Noes..... 0

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eccles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Wunningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

## UNFINISHED BUSINESS

### CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

### SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 489:** Rep(s). Caldwell as prime sponsor(s).

**House Bill No. 2478:** Rep(s). Hood as prime sponsor(s).

### ENGROSSED BILLS

**April 3, 2000**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 1059, 2116, 2369, 2510, 2668, 2783, 2784, 2995, 3101, 3298, 3299, 3300, 3301, also, House Joint Resolution(s) No(s) 518, 570, 571, 572, 573, 574, 576, 577, 578 and 580.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**April 3, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 87; amended, and concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 3, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 283; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 3, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 411; concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 3, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2848; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 3, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 958, 2037, 2897 and 2988; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

April 3, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2199, 2259, 2329, 2619, 2634, 2939, 3021, 3052 and 3123; all passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**\*Senate Bill No. 2199** -- Employees, Employers - Allows employee who prevails in cause of action against employer for retaliatory discharge to recover reasonable attorney fees and costs. Amends TCA Section 50-1-304. by \*Cohen. (HB2582 by \*Briley)

**\*Senate Bill No. 2259** -- Securities - Repeals taxes on the gross profits and shares of stock investment companies. Amends TCA Title 56, Chapter 4 and Title 67, Chapter 5. by \*Cohen, \*McNally, \*Atchley, \*Dixon, \*Crowe, \*Rochelle. (HB2880 by \*Fitzhugh, \*Scroggs, \*McDaniel, \*Kent, \*Garrett)

**\*Senate Bill No. 2329** -- Gas, Petroleum Products, Volatile Oils - Authorizes intrastate natural gas pipeline corporation acting under pilot project created in 1999, to utilize right of way along state highway for installation of pipelines or other facilities whether delivery is characterized as being through transmission or distribution line; ensures contractual arrangements and right to transport gas remain whether pilot project is extended or not extended. Amends TCA Section 65-28-103. by \*Haynes, \*Cooper, \*Dixon, \*Ford J. (HB2306 by \*Curtiss, \*Tindell, \*Armstrong, \*Towns, \*Hagood, \*Boyer, \*Cole (Carter), \*Westmoreland)

**Senate Bill No. 2619** -- Motor Vehicles, Titling and Registration - Authorizes issuance of "Preservation Through Restoration" new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to benefit historical preservation and restoration efforts in Tennessee Amends TCA Title 55, Chapter 4. by \*McNally. (\*HB2205 by \*Tindell, \*West, \*Arriola, \*Chumney, \*Armstrong, \*Dunn, \*Buttry, \*Bittle, \*Hagood, \*Boyer)

**\*Senate Bill No. 2634** -- Education - Includes "state board of education acting on behalf of any special school" as local government for purposes of state school bond authority; allows state board of education and state funding board to jointly enter into loan agreement with state school bond authority. Amends TCA Titles 4, 9; 49, 67 & 68. by \*Henry. (HB2818 by \*Kisber)

**Senate Bill No. 2939** -- Teachers, Principals and School Personnel - Allows non-citizens to be employed at public schools and colleges in Tennessee. Amends TCA Title 49, Chapter 5, Part 2. by \*Atchley, \*Burchett. (\*HB2670 by \*Hagood)

**Senate Bill No. 3021** -- Trademarks and Trade Names - Enacts "Tennessee Trade Mark Act of 2000." Amends TCA Title 47, Chapter 25, Part 5. by \*Kyle. (\*HB2873 by \*Chumney)

**\*Senate Bill No. 3052** -- Intergovernmental Relations - Authorizes commission on intergovernmental relations to contract with agency or entity of state or local government or higher education for performance of certain infrastructure needs inventories. Amends TCA Section 4-10-109 and Section 67-9-102. by \*Rochelle. (HB3099 by \*Rinks)

**Senate Bill No. 3123** -- Holidays and Days of Special Observance - Changes dates of "Tennessee P.O.W.-M.I.A. Recognition Week" from "week of September 18-24" to "week beginning third Friday in September extending through the following Thursday." Amends TCA Title 15, Chapter 2. by \*Crowe, \*Womack. (\*HB3050 by \*Givens)

**CONSENT CALENDAR**  
**April 3, 2000**

The following local bills have been placed on the Consent Calendar for **April 6, 2000**:  
House Bill No. 3303.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 95

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

**RECESS MOTION**

On motion of Rep. Hargrove, the House stood in recess until 9:00 a.m., Thursday, April 6, 2000.